

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION**

Jonathan David McCoy,

Plaintiff,

v.

City of Columbia, John K. Passmore, James  
Heywood, and Amanda H. Long, all in their  
individual and official capacities,

Defendants.

Civil Action Number:  
5:10-cv-00132-JFA-KDW

**NOTICE OF MOTION AND MOTION  
FOR SUMMARY JUDGMENT ON  
BEHALF OF DEFENDANTS LONG,  
PASSMORE, AND HEYWOOD**

TO: ROBERT F. GOINGS, ESQUIRE, COUNSEL FOR PLAINTIFF;

YOU WILL PLEASE TAKE NOTICE that the undersigned attorney for Defendants Heywood, Passmore, and Long will move before the United States District Judge for the District of South Carolina, Columbia Division, for an order, pursuant to Rule 56, FRCP, granting summary judgment to these Defendants and dismissing the Plaintiff's Complaint with prejudice.

Defendants' motion is based on the grounds set forth in the supporting memorandum filed herewith as well as any additional grounds that may be properly presented to the Court.

Defendant's motion is based upon the pleadings filed in this case; the supporting memorandum filed herewith, the Affidavit of Defendant Heywood, the Affidavit of Defendant Passmore, the Affidavit of Defendant Long, Deposition Excerpts of Plaintiff, Deposition Excerpts of Allen Keith McAlister, Jr., Deposition Excerpts of Richard Dennis, Defendant City of Columbia's exhibits and memorandum, attached exhibits, the record, the rules of court, and

any other matters as may be properly presented to the Court.

MBR Law, LLC

*s/ Matthew B. Rosbrugh*

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Columbia, South Carolina

October 18, 2012